

COPY

December 31, 2013

To: Town of Milton
Water Committee
115 Federal Street
Milton, DE 19968

From: James & Mary Beth Parker
P.O. Box 1776
Millsboro, DE 19966

Re: Water supply to the Finish-Line Car Wash located at 204 Broadkill Road.

I am writing this letter asking that the water committee allow Finish-Line Car Wash to install a 6" well on the property to provide water to the car wash only.

The following is a list of reasons:

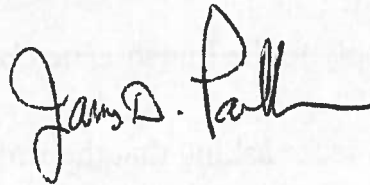
- 1) Every gallon of water that the Town provides has to go through a conditioner system to take out chlorine, fluorides, and other chemicals that the Town adds to the water. This is a costly process.
- 2) We recycle around 60% of our water. Car washes that recycle water are more likely to be able to continue to operate in times of water shortages. Recycling also helps us in our efforts to "go green" in combination with the special chemical system that we put into operation in March 2010.

3) We all know the Town of Milton continues to have issues with having adequate water supplies. As the Town of Milton continues to grow and the demand for water increases, this problem will continue to escalate. As the owner of a business that requires water to operate, this continues to be a major concern for me.

4) Finally, I do know that the Town of Milton just allowed another business within the Town limits to install a well to provide water for their business.

In conclusion, Finish-Line Car Wash has been in the Town of Milton since January 2004. I take great pride in being a part of the Town of Milton and strive hard to keep my business an asset to the community. Without water I have no business and cannot continue to offer a service to the people of Milton.

Sincerely,

A handwritten signature in black ink, appearing to read "James D. Parker". The signature is fluid and cursive, with the first name "James" and last name "Parker" clearly legible, and "D." as a middle initial.

James D. Parker

P.S. Your attention to this matter would be greatly appreciated.

**Water Committee
Minutes of Meeting
February 26, 2014**

DRAFT

The meeting was called to order in the Milton Public Library at 5:00 PM by the Chairman.

Roll Call:

Emory West, Chairman, present

Denny Hughes, present

Bill Woods, present

Sam Garde, present

Greg Wingo, present (approximately 5 minutes late due to having to deal with a water leak.)

Approval of Agenda:

Mr. Garde made a motion to approve the agenda as written. Mr. Woods seconded. The Committee unanimously approved the motion.

Guests

The Chairman noted that Mayor Jones, Vice Mayor Booros, Councilman Collier, as well as two representatives from Penoni Associates (the Town's Engineer) were present.

These Minutes

These minutes are an attempt to cover only the high points of the meeting. A full transcript is available in the Town Hall.

New Business:

Mr. West distributed a letter from Mr. James D. Parker requesting the Water Committee to allow Finish-Line Car Wash to install a 6" well on the property to provide water to the car wash only.

Mr. Garde read Section 215-28 of the Town Code: "There shall be no private wells or other water systems installed or maintained in the Town (other than the Town-owned and maintained public water supply) without prior written consent of the Town."

There was a general discussion of Mr. Parker's letter, noting the facts that town water goes through a conditioner system at the Car Wash to remove chlorine, fluorides and any other chemicals that the Town adds, and that the Car Wash recycles approximately 60% of its water.

Committee members discussed certain aspects of the request that were not clear, including whether Mr. Parker intended to continue to have Town water as a backup after

installation of the well, assuming the Town approved the request. If so, the Committee felt it needed more information on how Mr. Parker intended to prevent his untreated water from entering the Town's treated water system. If Mr. Parker intends to completely disconnect from Town Water and use only well water, that concern becomes moot.

It was noted that the Car Wash will continue to use the wastewater treatment system, owned & maintained by Tidewater Utilities.

Penoni representatives noted that other towns have allowed private wells, but charge a reduced fee for the use of such well water, since the Municipality owns the rights to the water under its territory.

It was confirmed that the Town of Milton owns the water under the designated boundaries of the Town.

Mr. Wingo noted some concern for lost revenue if the well is approved, since the Car Wash is one of the largest users of Town water, and in fact was the single largest consumer of Town water over the last few months.

As the members continued discussion, it became apparent that the Town has no designated policy regarding the conditions under which a private well could be approved, or what detailed procedure must be followed by a person requesting approval to install a private well.

Mr. Woods made a motion to request the Town Council to have the Town Solicitor opine on whether the Town can develop a policy while holding Mr. Parker's request in abeyance. Mr. Garde seconded. The Committee unanimously approved the motion.

Mr. Woods made a further motion to request the Town Council to engage Penoni to gather examples of what neighboring communities have done, including charges for water pumped from private wells. Mr Garde seconded. The Committee unanimously approved the motion.

Mr. Garde made a motion that Mr. Parker's request be tabled until the information to be provided in the above motions can be returned and assessed by the Committee, assuming that the Town Council acts affirmatively on the two motions outlined above. Mr. Hughes seconded. The Committee unanimously approved the motion.

Adjournment:

The motion to adjourn was approved by unanimous vote after a second.

Very Respectfully submitted,
James C. ("Sam") Garde